



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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October 18, 2017

Andrew Park, Project Manager  
Corrective Action Section  
Hazardous Waste Programs Branch  
U.S. Environmental Protection Agency Region 2  
290 Broadway, 22nd Fl.  
New York City, NY 10007-1866

RE: Hess Corporation Port Reading Refinery (Hess)  
750 Cliff Rd  
Woodbridge, Middlesex  
EPA ID No. NJD045445483  
PI #: 006148

### AOC – 19: QC Laboratory RIR/RAR

Dear Mr. Park:

The New Jersey Department of Environmental Protection (Department) has completed a review of the correspondence "Response to Comments: QC Laboratory (ACO 19) Remedial Investigation/Remedial Action Report" dated July 31, 2017. The Department provided the initial comments without support from the Geologist of Technical Coordinator as there were significant deficiencies that needed to be addressed prior to the referral of the RIR/RAR to support staff. The Hess Corporation (Hess) response to comments address many of the comments raised by the Department in the correspondence dated June 15, 2017.

The Department recommends that the revised Remedial Investigation Report/Remedial Action Report for AOC-19 QC Laboratory be submitted for review by the USEPA and the Department.

Response to Comment 1 fails to offer a correction to the deficient Remedial Investigation. The NJDEP's comment stands. The Department recognizes that the QC Laboratory disposed RCRA listed hazardous wastes in underground tanks that also received waste petroleum products. The RCRA regulations on mixing listed hazardous waste with solid waste (i.e. waste petroleum products) establishes that the tank contents are a RCRA hazardous waste pursuant to 40 CFR 261.3(b)(2) as incorporated by reference at N.J.A.C. 7:26G et seq. The use of N.J.A.C. 7:26E-2.1(e) Table 2.1 is not correct or applicable. Also, limiting the analysis to only 25 percent of samples where EPH is detected exceeding 1,000 mg/kg, is not applicable for investigating RCRA hazardous waste discharge. The Department is concern that DNAPL wastes introduced

from the laboratory could have escaped the tanks and migrated downward. Limiting the analysis to just 25 percent of the samples creates an unacceptable data gap.

Response to Comment 2 is acceptable to the Department.

Response to Comment 3 fails to offer a correction to the deficient Remedial Investigation. Hess has identified that sampling was conducted in accordance with Table 2.1 of N.J.A.C. 7:26E-2.1(e), however that Table was applied incorrectly to this sampling event. As the contaminants of an abandoned laboratory waste chemical tank are unknown, the sampling requirements at N.J.A.C. 7:26E-2.1(c) 1. ii. supersede Table 2.1.

Response to Comment 4 acknowledges the absence of depth to groundwater at the temporary well locations. The Department will defer further comment on this issue and instead provide a response after a review of the revised submission.

Also, the Response to Comment 4 states that sampling using Table 2-1 was identified in the workplan, which was subsequently approved by the Department. The Department notes that the workplan stated:

“If the UST contents are unknown, the samples will be analyzed for EPH Category 2 with contingent analysis for compounds following Table 2-1 of the NJDEP’s Technical Requirements for Site Remediation.”

The Department notes that this workplan statement is at odds with the regulations which establish at N.J.A.C. 7:26E-2.1

(c) The following requirements apply for selection of analytical parameters for all environmental media:

...

ii. The Target Compound List plus TICs/Target Analyte List (TCL + TICs/TAL), hexavalent chromium, extractable petroleum hydrocarbons (EPH), and pH when contaminants are unknown or not well documented;

The workplan established that the contents of the QC Laboratory waste chemical tanks were not well known and not documented. If it was the intention of Hess to seek a variance from the requirement of N.J.A.C. 7:26E-2.1(c)ii, then a Variance Request must have been submitted for approval. Since there was no variance filed for this workplan the regulatory requirements of N.J.A.C. 7:26E-2.1(c) ii remain.

Response to Comment 5 is acceptable to the Department.

Response to Comment 6 is acceptable to the Department.

Response to Comment 7 acknowledges that “All subsequent soil and groundwater sampling has been conducted to determine if there was a release from the known locations of the former USTs or piping”. The Department notes that Hess is seeking an RAO for the QC Laboratory parcel, not just for the tank release. The parcel also hosts a Buckeye pipeline and other utilities that not only create a preferential pathway, but could also be a contributory source of contamination.

Buckeye conducted a PA/SI at AOC 62 which is adjacent to this AOC. Relevant findings from AOC 62 must be provided. The revised submission must address these issues as well.

Response to Comment 8 acknowledges the value of a remedial investigation of AOC 90 located on this parcel. Approval of the RAR for AOC 90 must also be provided in order to approve the RAR for AOC 19. The Department recommends that Hess submit a revised QC Laboratory (ACO 19) RI/RAR that includes both AOC 19 and AOC 90 findings.

Response to Comment 9 is acceptable to the Department.

Response to Comment 10 is acceptable to the Department.

Response to Comment 11 is acceptable to the Department.

Response to Comment 12, 13, 14 and 16: The Department will defer further comment on these response to comments from Hess and instead provide a response through a review of the revised submission.

Response to Comment 15 is acceptable to the Department.

If you have any questions regarding this correspondence, please reach me by phone at (609) 292-0395, or email at [Phil.Cole@dep.nj.gov](mailto:Phil.Cole@dep.nj.gov).

Sincerely,



Philip Cole, Case Manager  
Bureau of Case Management

cc: John Schenkewitz, Hess Corporation  
John Virgie, LSRP, Earth Systems  
Jill Monroe, NJDEP Geologist  
Ann Charles, NJDEP Technical Coordinator